

**DETAILED ACTION**

This office action is in response to Applicant's response filed May 28, 2010 and interviews held with Mr. Paul Bobwiec on June 11; July 13, 14, 2010. Claims 1, 6, 10-12 and 15 are amended herein, claim 16 is canceled herein (Claim 13 being previously canceled). Claims 1-12 and 14-15 are currently pending and allowed, as amended below.

***Election/Restrictions***

Applicant's election without traverse of Group I (Claims 1-12 and 14-16) in the reply filed on May 28, 2010 is acknowledged.

***Response to Arguments***

Applicant's arguments, see Last Two Paragraphs, Page 8; Paragraph 1, Page 9, filed February 4, 2010, with respect to Mizrahi et al. have been fully considered and are persuasive. The 35 U.S.C. 102(e) of claims 1-16 has been withdrawn.

The 35 U.S.C. 112(2) rejection of claims 6, 9, and 15 are withdrawn in response to the amendments herein and arguments presented February 4, 2010, see Pages 7-8.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Paul Bobowiec (Reg. No. 47,431) on July 14, 2010.

#### **Amendment to the Title**

Polling System and Method Presenting A Received Free Reply As A Answer Option To A Subsequent Respondent

#### **Amendment to the Claims**

This listing of claims will replace all prior versions and listings of claims in this application.

1. (CURRENTLY AMENDED) A polling method performed by a processor for conducting a poll on a respondent group including at least one or more first respondents and second respondents, the polling method comprising:

    a first questioning performed by a first terminal during the poll by presenting an input form with a question to a first respondent;

    obtaining performed by the first terminal a free reply by accepting input onto the input form by a first respondent of an unguided reply to said question;

    a first storing for storing in a processing server the free reply input by the first respondent as a reply option to said question;

    closing performed by the first terminal the input form presented to the first respondent;

a second questioning performed by a second terminal during the poll by presenting an input form with said question and the stored free reply as a reply option to the question to a second respondent after storing the input free reply; and

accepting performed by the second terminal a choice of the stored free reply as a reply to said question on the input form presented to the second respondent.

2. (PREVIOUSLY PRESENTED) A polling method according to claim 1, further comprising:

obtaining performed by the second terminal an elective reply by accepting from a second respondent selection of a reply presented in said presenting to the second, respondent

a second storing in the processing server an elective input by the second respondent; and

compiling by repeating said first questioning, said obtaining the free reply, said first storing, said second questioning, said presenting, said obtaining an elective reply, and said second storing, and collecting and compiling elective replies and free replies from said respondent group.

3. (PREVIOUSLY PRESENTED) A polling method according to claim 1, further comprising a first determining performed by the processing server to determine whether a free reply input by a first respondent and a predetermined reply option presented are substantially the same, said presenting further presenting at least one predetermined reply option.

4. (PREVIOUSLY PRESENTED) A polling method according to claim 3, wherein said first storing stores in the processing server said free reply as a reply option to said question, upon said first determining having determined that said free reply input by said first respondent and said predetermined reply option are not substantially the same.

5. (PREVIOUSLY PRESENTED) A polling method according to claim 3, wherein: upon said first determining having determined that said free reply input by said first respondent is substantially the same as said predetermined reply, said compiling compiles said free reply as an elective reply made by selection of said predetermined reply.

6. (CURRENTLY AMENDED) A polling method according to claim 3, further comprising confirming performed by the processing server upon said first determining having determined that said free reply input by said first respondent and said predetermined reply option are substantially the same, accepting from said first respondent confirmation as to whether or not the determination is correct; wherein

    said compiling is carried out if when said determination is confirmed to be correct.

7. (PREVIOUSLY PRESENTED) A polling method according to any of claims 1, 2, 4, 5 or 6, further comprising conditions-setting performed by the processing server by accepting settings on conditions for designating at least one or more first respondents; wherein:

    in said first questioning, said question is presented to one or more first respondents who have been extracted based on said conditions.

8. (PREVIOUSLY PRESENTED) A polling method according to any of claims 2, 4, 5, or 6, further comprising:

    a second determining performed by the processing server of increasing a count of reply options to said question when a free reply is stored in said first storing, and determining whether the count of reply has reached a predetermined maximum value;

    a third storing in the processing server of storing correlatively with said question options that said presenting has presented to second respondents; and

    a re-surveying performed by the processing server of, upon said second determining having determined that said reply options count has reached said maximum value, extracting based on data stored in said third storing second respondents who have made elective replies from options numbering a count that is a predetermined minimum value or less, and presenting said extracted second respondents with said question.

9. (PREVIOUSLY PRESENTED) A polling method according to either claim 1 or claim 2, further comprising:

    iterating by repeating said first questioning, said obtaining a free reply and said first storing; and

    controlling which said iterating terminated, and said presenting and said second questioning are performed.

10. (CURRENTLY AMENDED) A polling device for conducting a poll on a respondent group including at least one or more first respondents and second respondents, the polling device comprising:

a first question unit configured to present an input form with a question to a first respondent during the poll;

a free reply unit configured to obtain a free reply by accepting input onto the input form by a first respondent of an unguided reply to said question;

a sending unit configured to send a processing server the free reply input by the first respondent as a reply option to said question;

a closing unit configured to close the input form presented to the first respondent;

a receiving unit configured to receive, from the processing server, an input form with the question and the free reply as a reply option to said question;

a second question unit configured to present during the poll the received input form with said question and the free reply as a reply option to the question to a second respondent; and

an accepting unit configured to accept a choice of the free reply as a reply to said question on the input form presented to the second respondent.

11. (CURRENTLY AMENDED) A polling computer product for conducting a poll on a respondent group including at least one or more first respondents and second respondents, the computer product for causing a computer to function as:

a first question unit configured to present an input form with a question to a first respondent during the poll;

a free reply unit configured to obtain a free reply by accepting input onto the input form by a first respondent of an unguided reply to said question;

a sending unit configured to send a processing server the free reply input by the first respondent as a reply option to said question;

a closing unit configured to close the input form presented to the first respondent;

a receiving unit configured to receive, from the processing server, an input form with the question and the free reply as a reply option to said question;

a second question unit configured to present during the poll the received input form with said question and the free reply as a reply option to the question to a second respondent; and

an accepting unit configured to accept a choice of the free reply as a reply to said question on the input form presented to the second respondent.

12. (CURRENTLY AMENDED) A computer-readable recording medium on which is recorded a polling program for conducting a poll on a respondent group including at least one or more first respondents and second respondents, the computer-readable recording medium on which is recorded a polling program for causing a computer to function as:

a first question unit configured to present an input form with a question to a first respondent during the poll;

a free reply unit configured to obtain a free reply by accepting input onto the input form by a first respondent of an unguided reply to said question;

a sending unit configured to send a processing server the free reply input by the first respondent as a reply option to said question;

a closing unit configured to close the input form presented to the first respondent;

a receiving unit configured to receive, from the processing server, an input form with the question and the free reply as a reply option to said question;

a second question unit configured to present during the poll the received input form with said question and the free reply as a reply option to the question to a second respondent; and

an accepting unit configured to accept a choice of the free reply as a reply to said question on the input form presented to the second respondent.

13. (CANCELLED)

14. (PREVIOUSLY PRESENTED) A polling method according to claim 2, further comprising a first determining performed by the processing server of determining whether a free reply input by a first respondent and a predetermined reply option presented in said presenting are substantially the same, wherein said presenting further representing at least one predetermined reply option.

15. (CURRENTLY AMENDED) A polling method according to claim 5, further comprising confirming performed by the processing server of if when said first determining determines that said free reply input by said first respondent and said predetermined reply

option are substantially the same, accepting from said first respondent confirmation as to whether the determination is correct; wherein

    said compiling is carried out if when said determination is confirmed to be correct.

16. (CANCELLED)

## **ALLOWANCE**

The following is an Allowance in response to Applicant's response filed May 28, 2010 and interviews held with Mr. Paul Bobwiec on June 11; July 13, 14, 2010. Claims 1, 6, 10-12 and 15 are amended herein, claim 16 is canceled herein (Claim 13 being previously canceled). Claims 1-12 and 14-15 are currently pending and allowed, as amended above.

## **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance.

The present invention is directed to a system and method for conduction a poll wherein free form answers to a poll question from a first participant are automatically presented as a standard (fixed) reply option, for the same question, to subsequent participants in the same poll.

The prior art fail to teach or suggest either singularly or in combination a system/method of conducting a poll on a respondent group comprising: a first questioning performed during the poll presenting an input form with a question to a first respondent; obtaining a free reply by accepting input onto the input form by a first respondent of an unguided reply to said question; the free reply input by the first respondent as a reply option to said question; a second questioning during the poll presenting an input form with said question and the stored free reply as a reply option to

the question to a second respondent after storing the input free reply; and accepting performed by the second terminal a choice of the stored free reply as a reply to said question on the input form presented to the second respondent as recited in independent Claims 1, 10, 11 and 12.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT L. JARRETT whose telephone number is (571)272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott L Jarrett/  
Primary Examiner, Art Unit 3624